

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEANIECE D. CARTER,

Plaintiff,

No.19-12381

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

UNIVERSITY OF TEXAS AT DALLAS,
ET AL.,

ORDER

On August 12, 2019, Plaintiff Geaniece D. Carter filed a *pro se* civil complaint [ECF No. 1]. Before the Court is her motion to file an amended complaint [ECF No. 14].

Fed.R.Civ.P. 15(a)(1)(B) provides that a party may amend a pleading to which a responsive pleading is required (such as a complaint) as a matter of right “21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.” In this case, the Defendants filed a motion to dismiss under Fed.R.Civ.P. 12(b)(1), (2), and (6) on September 11, 2019 [ECF No. 9]. Plaintiff then filed an amended complaint on September 23, 2019 [ECF No. 13], within the 21 days set forth in Rule 15(a)(1)(B).

This means that Plaintiff may amend her complaint as a matter of right, without the necessity of first obtaining a court order. Therefore, her amended complaint [ECF No. 13] has been properly accepted for filing and docketed. This would make her motion to amend moot and unnecessary. However, I recognize that Plaintiff is proceeding without counsel, and may not fully understand the Federal Rules. So, to avoid confusion on her part, and to move this case forward efficiently and expeditiously, I will simply grant her

motion to amend under Rule 15(a)(1)(B).

Accordingly, Plaintiff's motion to amend [ECF No. 14] is GRANTED.

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: October 9, 2019

CERTIFICATE OF SERVICE

I hereby certify on October 9, 2019, that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on October 9, 2019.